

**Montana Department  
of  
Fish, Wildlife & Parks**



1420 East 6th Avenue  
Helena, MT 59620

MEMORANDUM

TO: Interested Persons  
FROM: Michael Korn <sup>HK</sup> Sleeping Giant Elk Ranch EA Project Team  
RE: EA Additions  
DATE: September 27, 1994

Attached are documents which were inadvertently omitted from the Draft EA for the Sleeping Giant Elk Ranch. They are:

1. Agency scoping comments which should be included in Appendix K, Public Scoping Comments.
2. A revised plan for quarantine facilities submitted by the applicant to the Montana Department of Livestock. This should be included in Appendix B following the revised map for the facility.

We apologize for any inconvenience this may have caused.

*Lewis+Clark*



United States  
Department of  
Agriculture

Forest  
Service

Helena National Forest  
2880 Skyway Drive  
Helena, MT 59601

Reply to: 2610

Date: September 13, 1994

**RECEIVED**

SEP 14 1994

**FIELD SERVICES**

Mr. Michael Korn  
Montana Department of Fish, Wildlife and Parks  
1420 East 6th Avenue  
Helena, MT 59620

*mike,*  
Dear Mr. Korn:

Thank you for the opportunity to offer some initial comments on the application for the proposed private game farm known as Sleeping Giant Elk Ranches. Although this facility is not directly adjacent to the Helena National Forest, it is in close proximity and could potentially affect the wildlife resources on the Forest as well as on other public lands. Where issues of wild populations are discussed, administrative and ownership boundaries are much less significant than the welfare of the population as a whole.

As you know, issues concerning wild populations of elk, mule deer and white-tailed deer are at the center of much of our management of the Helena National Forest. These species alone generate a great deal of interest and concern within our agency and with the public we serve, and in fact have a tremendous influence on our decision making process. It is difficult to over-emphasize the role that wildlife concerns play in management of this Forest, and for that reason we offer our perspective on this game farm application.

One issue for consideration is the construction of the enclosure itself. Would the construction of large game-proof fences have the potential to disrupt the traditional movements of migratory big game species and other wildlife? Would their movements be interrupted or totally precluded by structures of this nature?

Despite the quality of the enclosure and the vigilance of the managers or others responsible for monitoring, the condition of fences will change over time. Escapes from game farms is a phenomenon widely documented throughout the western U.S. and Canada. We question whether anything other than a double fence at least 12 feet in height will be effective in discouraging escapes. Given the potential for escapes with any structure, what contingency plans are in place for detection and recapture or destruction of game farm animals?

Since deer and elk within this area are known to swim the Missouri River and move into the Gates of the Mountains Wilderness on the Helena National Forest, the possibility of game farm animals coming in contact with wild individuals and herds leads us to other concerns. Genetic integrity of our wildlife populations should be an important consideration in the review of game farm proposals and the issue of genetic pollution should be carefully analyzed. Of particular importance is the question of whether red deer will be raised on the game farm. These animals pose a serious threat to the integrity of the native gene pool and the subsequent character of the elk that will populate Montana habitats in the future. Second



generation red deer are notoriously difficult to detect through testing and they may only be revealed through insidious, long term changes in our wild elk populations. Are assurances in place that prohibit the raising of red deer on the proposed game farm? Perhaps this is the only way to avoid problems similar to those that recently occurred west of Helena.

Equally important is the potential for transmission of diseases such as tuberculosis and brucellosis as well as the transmittal of internal parasitic infections from game farm animals to wild individuals. Consideration of diseases or disorders brought in with game farm animals from other locations in the country is also important. We are concerned that diseases not endemic to this area will be introduced and eventually transmitted to wild animals. Many diseases have proven difficult to detect through standardized testing of game farm stock and have outlasted attempts at quarantine.

The problem of dealing with disease is well illustrated by the spread of tuberculosis through a broad spectrum of wildlife populations and domestic livestock in the Hardin area. The proposed solution for that problem is the eradication of all big game animals within a 6-mile radius of the source. In the case of the Beartooth area, a similar solution would include large blocks of the Gates of the Mountains Wilderness, the Beartooth Wildlife Management Area, and the proposed Sleeping Giant Wilderness.

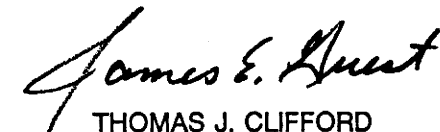
Consideration should also be given to the bald eagle and peregrine falcon, two endangered species that inhabit areas in close proximity to the proposed game farm. Based on the behavioral trait of feeding on carcasses, bald eagles are perhaps most at risk from activities associated with this proposal, given the potential for disease within game farm animals. What impacts might this proposal have on this endangered species? Could problems associated with game farm carcasses affect recovery in the local area?

There are many wild places within a few miles of the proposed game farm development. Nearby National Forest destinations include sites on Upper Holter Lake, Holter Lake and the Missouri River, as well as the Gates of the Mountains Wilderness. These natural landscapes of broad vistas, limestone cliffs and flowing water are unique features in Montana. These same landscapes offer visitors and residents the opportunity to see wildlife roaming free in their native habitats. Would the development of a game farm in this area compromise the nature of this landscape and the integrity of the wild places on nearby public lands?

Montana's wildlife resources are extremely important biologically and economically to the diversity of the ecosystem of which we are all stewards. Their value for viewing, consumptive harvest and function within the system cannot be over-stated. Our primary concern is the maintenance of healthy, genetically pure, free ranging wildlife populations throughout the Helena National Forest and the State of Montana, and it is due to this concern that we suggest careful consideration of this game farming proposal.

We appreciate the opportunity to express our thoughts on this subject.

Sincerely,

  
THOMAS J. CLIFFORD  
Forest Supervisor





# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Headwaters Resource Area

106 North Parkmont

P.O. Box 3388

Butte, Montana 59702-3388

TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:

6500 (075)

SEP 16 1994

Mr. Michael Korn  
Montana Department of Fish,  
Wildlife and Parks  
1420 East Sixth Avenue  
Helena, Montana 59620

Dear Mike:

The following are comments that my staff and I have concerning the proposed game farm to be operated by Mr. Hugh Guthrie.

From the wildlife and habitat management perspective, we have many concerns. First, State of Montana regulations concerning the operation of game farms were formulated to provide protection to native wildlife from problems associated with game farms, including introduced diseases, hybridization, and escape of domesticated and/or exotic wildlife species. There have been many recent examples within Montana suggesting that some of these game farm "fears" are being realized (i.e., diseased mule deer, red deer/elk hybrids, illegal trapping, etc.). It seems that even under strict rules and enforcement there is a growing problem within the state concerning game farms and their impact to native species.

The Sleeping Giant area supports healthy populations of elk and mule deer. White-tail deer also inhabit the area, however in lower overall numbers. Mountain goats range throughout the Beartooth Mountain and Sheep Creek areas. Recent population trend information from your Department indicates a decline in the number of mountain goats in the area.

Bighorn sheep were introduced to the area in a cooperative project with the Montana Department of Fish, Wildlife and Parks beginning in December 1992. This sheep population seems to be establishing a home range which centers around Beartooth Mountain. Our concern here is obvious: with a very diverse range of native big-game species, each with significant population numbers, how can the Department and/or Mr. Guthrie ensure the long-term well-being and health of these wild populations when other game farms with the same regulations and stipulations are evidently at the root of so many problems?

With the same precautions (by law) that game farms take to prevent egress of captive animals, there seems to be a somewhat common problem of native wildlife access to game farms. There are many examples where native big-game animals have been able to access interior portions of game farms only to

contract diseases and/or be harvested with the domesticated population. Can the Department be reasonably sure that this will not happen in this case?

The support documentation does not mention how many individuals of each species Mr. Guthrie plans to raise each year. With stable or increasing populations of wild elk and mule deer in the area, surely the male cohorts of these populations will be attracted to these small pens where captive females are kept. Can there be adequate buffering between the wild and the domestic individuals to prevent direct contact?

All of the pens, including No. 4, seem very small when used for the intended purpose.

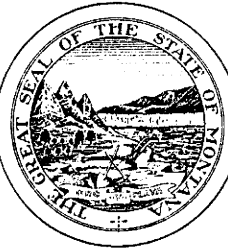
Our concern is that in a relatively short period of time these pens will lose all native vegetation and will be transformed into feedlot situations. It appears that Mr. Guthrie plans to pasture a relatively high number of animals on relatively few acres of ground on a year-round basis. This can be extremely detrimental management to native rangelands. As the interior pastures deteriorate, there will be stronger pressure by the captives to get to the "other side." Can there be any stipulations in the permit to protect rangeland values within the intensively managed pen areas? Will interior stream courses be protected from elevated levels of sediment and/or fecal coliform?

The proposed game farm is contiguous with two BLM special management areas where natural ecosystem protection is emphasized. These areas are the Sleeping Giant Wilderness Study Area (6,487 acres) and the Sleeping Giant Area of Critical Environmental Concern (ACEC) (11,609 acres). Management objectives for these areas are:

1. Preserve the natural resource values and protect against undue and unnecessary degradation.
2. Preserve the high scenic and visual qualities by ensuring that all management actions comply with the VRM (Visual Resource Management) Class II guidelines. See visual management section on page 5.
3. Provide for a wide variety of primitive recreational opportunities that include fishing, camping, hiking, hunting, trapping, horse travel, nature study, and photography in a manner that best ensures public safety and health, resource protection, and quality of experience.
4. Preserve, protect, and promote wildlife and its habitat for the associated "key" species of elk, mountain goats, bighorn sheep, osprey, bald eagles, peregrine falcons, waterfowl, and cold water fisheries in accordance with the overall management objectives of the ACEC.

Given these management objectives, we have concerns regarding the potential for the spread of diseases with native elk, off-site visual impacts, and removal of trespass non-native game farm animals.

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION



MARC RACICOT, GOVERNOR

LEE METCALF BUILDING  
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699  
TELEFAX NUMBER (406) 444-6721

PO BOX 202301  
HELENA, MONTANA 59620-2301

RECEIVED

SEP 16 1994

FIELD SERVICES

September 15, 1994

Michael Korn  
Montana Department of Fish, Wildlife & Parks  
1420 East Sixth Ave.  
Helena, MT 59620 0701

Re: Sleeping Giant Game Farm

Dear Mr. Korn:

You recently invited comments pertaining to the referenced project. The Department of Natural Resources and Conservation has these concerns.

First, the proposed game farm is within a surface water rule closure area known as the *Towhead Gulch Basin Closure*. This means that the applicant cannot receive a permit for a consumptive use of surface water. If Mr. Guthrie purchased water rights along with the property, some or all of those water rights may need to be changed—for example from irrigation to commercial or recreation. Mr. Guthrie can "develop" a spring or drill a well to obtain groundwater. He should contact the Helena Water Resources Regional Office, 1520 E. Sixth Ave., Helena, MT 59620-2301 (phone 444-6695) for the proper forms and assistance.

Second, we encourage Mr. Guthrie to work closely with the Lewis and Clark County Conservation District, 790 Colleen Street, Helena, MT 59601-9713 (phone 449-5278) to ensure that no wetlands or riparian areas are damaged and that weeds are controlled.

Thank you for the opportunity to comment.

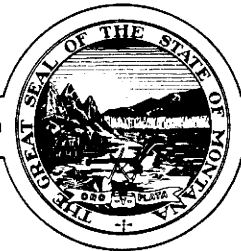
Sincerely,

A handwritten signature in cursive script that reads "Jim Bond".

Jim Bond  
Information Officer/  
Citizen Advocate

copy: Ron Guse, Water Resources Division  
Helena Regional Office

DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL SCIENCES  
PREVENTIVE HEALTH SERVICES BUREAU



COGSWELL BUILDING  
1400 BROADWAY

STATE OF MONTANA

(406) 444-0273 (OFFICE)  
(406) 444-2606 (FAX)

PO BOX 200901  
Helena, MT 59620-0901

September 23, 1994

Michael Korn  
Montana Department of Fish, Wildlife and Parks  
Field Services Division  
1400 Eighth Avenue  
Helena, Montana 59620

Dear Michael:

The Montana Department of Health and Environmental Sciences submits the attached in response to your request for comments to include in an environmental assessment of a proposed game farm in Lewis and Clark County.

Our Department contends that private holding of cervids is not without risk to human health. Medical researchers have asserted that the risk of zoonotic diseases from such sources should not be ignored. A better understanding of the natural history of disease in these animals, and better diagnostic tests are needed before public health officials can responsibly promote commercial game farming operations. Surrounding state health officials and federal experts on the subject whom I have consulted with are in agreement with our contentions.

If you would like additional information, or have any questions, please feel free to call on me at 444-3986.

Sincerely,

A handwritten signature in cursive script that reads "Todd Damrow".

Todd Damrow, Ph.D., M.P.H.  
State Epidemiologist

**a). The proposed action is felt to have a potentially significant impact in the event of an accident or other form of disruption.**

The risks to man of mycobacterial disease (tuberculosis) in elk are not widely appreciated. Researchers have warned of the dangers to human and animal health of bovine tuberculosis from farmed elk (Stuart FA, et al. Tuberculosis in Imported Red Deer (Cervus elaphus). Vet Rec 1988; 122:508-11.) Elk and deer are reported to be very susceptible to infection when farmed intensively; subacute or chronic tuberculosis spreads rapidly, but may not be clinically obvious for many months. Once disease becomes established in a herd there may be opportunity for spread to human contacts, to wildlife, and to neighboring cattle. Infection is generally spread from animal to animal by the respiratory route. There is a potentially significant risk that people in close contact with infected animals might contract respiratory infection with M. bovis and that they, in turn, could be a source of infection for other people.

**b). The proposed action is felt to create a potentially significant hazard to domestic livestock.**

According to the editorial staff of the Lancet, "There is justifiable anxiety that elk farming may upset the balance between commercial cattle herds and wild animals, and that spread of disease from farmed elk to cattle and to wildlife may undermine existing cattle control schemes. (Lancet 1991; 338:1243-4). The recent event in Big Horn County underscores the need for concern over the adequacy of containment of bovine tuberculosis within the confines of game farm fences. Incidents of tuberculosis infection among farmed elk have been reported despite established control measures and eradication schemes for M. bovis infection (Clifton-Hadley, et al. Tuberculosis in Deer: A Review. Lancet 1991; 129:5-12)

**c). The proposed action is felt to create a potentially significant human health hazard.**

An outbreak of tuberculosis among people in contact with farmed elk has been documented in Canada (Fanning A, and Edwards S. Mycobacterium bovis Infection in Human Beings in Contact with Elk (Cervus elaphus) in Alberta, Canada. Lancet 1991; 338:1253-5). The epizootic was first recognized in November, 1990, in a herd of 150 animals but was subsequently found to be widespread in elk throughout the province, involving 32 of 110 registered herds. Epidemiologic investigation identified 446 human contacts including farmers, veterinarians, post-mortem technicians, meat inspectors, and workers at rendering plants and tanneries. Eighty one of these had positive tuberculin skin reactions; 6 had converted to positive when tested for a second time, and a veterinary surgeon who treated a severely affected elk developed active, respiratory disease. The mode of transmission of M. bovis from the farmed elk to man was determined to be likely due to aerosolization of infected particles from diseased animals. Game farming of elk is not without risk to human health. Researchers have asserted that the risk to man can not be ignored. A better understanding of the disease in deer and elk, and better diagnostic tests are needed before public health officials can responsibly promote commercial game farming operations.

**d). The proposed action is felt to have only a minor impact with reference to the creation of any safety hazard as a result of firearms discharge on the premises of the game farm.**

Injury from gunshot to hikers, homeowners, hunters, recreationists. etc., however, is possible.





## MONTANA NATURAL HERITAGE PROGRAM

1515 East Sixth Avenue  
P.O. Box 201800  
Helena, Montana 59620-1800  
(406) 444-3009

September 8, 1994

Michael Korn  
Montana Department of Fish, Wildlife and Parks  
1420 East 6th Avenue  
Helena, Montana 59620

Dear Michael:

In response to your request, we searched our data bases for information on species of special concern within a radius of approximately 10 miles from the Sperry Ranch.

Enclosed are 26 species location records (organized by township-range), along with a leaflet explaining the various codes and abbreviations used in our reports. These records are also mapped on 7½-minute USGS quad maps in our office; if you need more precise location information, feel free to stop by.

Please note that this report includes sensitive data intended for use within your agency and not for general distribution or publication. In particular, widespread public release of specific location information may jeopardize the welfare of a threatened, endangered, or sensitive species or community. Individuals wishing to obtain additional information should contact the Heritage Program directly.

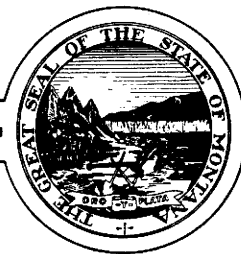
Also, please remember that the results of a data search by the Montana Natural Heritage Program are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys which may be required for environmental assessments.

I hope this information is helpful. Let me know if we can be of further assistance.

Sincerely,

Margaret Beer  
Data Manager

DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL SCIENCES  
WATER QUALITY BUREAU



COGSWELL BUILDING  
1400 BROADWAY

STATE OF MONTANA

FAX (406) 444-1374

Phone (406) 444-2406

PO BOX 200901  
HELENA, MONTANA 59620-0901

September 6, 1994

Michael Korn  
MDFW&P  
1420 east 6th Avenue  
Helena, MT 59620

Dear Mr. Korn,

We received your request for assistance in completing the EA for the Sleeping Giant Elk Ranches and have reviewed the material submitted. Unfortunately, there is not enough information to adequately determine impacts to water quality. Consequently, the answer to all categories on the EA are unknown to us.

Beartooth Creek is located in Pens 1 and 2. The map identifies this stream as intermittent, however concentrated animal use along this creek could present water quality impacts. Depending on the stocking rates, vegetation use, and potential to cause water pollution any or all of the pens could require Montana Pollution Discharge Elimination System (MPDES) Permits issued by this department.

Enclosed is a booklet to provide information on permit requirements for Concentrated Animal Feeding Operations. In addition, I will pass the information you have provided on to our Permitting Section. Tim Byron is our main contact person for feeding operations. Tim is out until September 9.

As stated we cannot adequately evaluate water quality impacts of this proposal unless more information is provided. The type of information necessary includes:

1. Animal stocking levels and timing of use.
2. Status of Beartooth Creek (i.e., Does it flow and if so when and how much? What does it connect to? Does it influence fish or other aquatic resources? Does it have a riparian zone? What are the present stream or riparian conditions?
3. Vegetation and stock management strategy.
4. Runoff management strategy to control potential sediment and nutrient pollution.
5. Locations of feeding and watering areas, if any. How many animals will use these areas and for how long?

Obviously, if water pollution is possible, or aquatic resources are at risk there is a potential for environmental impact. Estimating the nature and degree of impact depends site specific conditions and the proposal. If impacts are possible, there should be provisions in the game

farm plan to prevent them. This is true regardless of whether a MPDES permit is required or not. These provisions generally involve design and implementation of best management practices (BMPs) that control runoff and animal use in and around the stream.

Although I am not familiar with this specific area I do know the general area is fairly dry. It is possible that Beartooth Creek seldom flows or that animal stocking rates will be low enough to minimize animal damage. Perhaps these types of situations require only minimal BMPs, but without additional information it is impossible to determine potential impacts or measures necessary to prevent impacts.

We would be glad to reevaluate the proposal if you could provide additional information. We recognize your deadline is tight, but are willing to work with you to the extent possible.

If you have any questions regarding these comments don't hesitate to call or visit. My phone number is 5316. I will be in the office on 9/8 AM, 9/9 AM after 9am, 9/12 AM and the 13th through 16th. I will also check with the permit folks to get an idea on permit requirements.

Sincerely,



Steve Tralles

Water Quality Specialist

Water Quality Division

Montana Department of Health and Environmental Sciences



**Lewis & Clark County Conservation District**  
790 Colleen Street - Helena, MT 59601 - 449-5278

September 15, 1994

**RECEIVED**

SEP 16 1994

**FIELD SERVICES**

Michael Korn  
Montana Department of Fish, Wildlife & Parks  
1420 East 6th Avenue  
Helena MT 59620

RE: Guthrie Game Farm Proposal

Dear Michael:

At the September 13, 1994 meeting of the Lewis & Clark County Conservation District the above captioned game farm license application was reviewed.

Because of time constraints, the Board was unable to complete the checklist; however, the following comments are offered:

- 1) The impact on the game migration may be great as the game farm will interrupt a known natural game trail.
- 2) The possibility of imported animals breeding with native species is of concern.

Thank you for inviting our comments. Please include us on any future mailings and reviews of this particular application as well as others.

Cordially yours,

**LEWIS & CLARK COUNTY CONSERVATION DISTRICT**

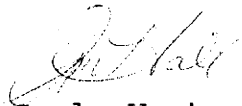
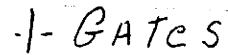
  
Gayla Wortman Hall  
District Administrator

Exhibit  
E



-3- ON demand  
water

-5- separated for  
DIFFERENT AGE  
ANIMALS

-6- SHADE

ALL out side TOO  
Be  $M'N = 14'$

Pen size app.  
100' X 200'